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SUBJECT: HAIDER DEFIES COURT OVER BILINGUAL TOWN SIGNS

THIS MESSAGE IS SENSITIVE BUT UNCLASSIFIED.

¶1. (SBU) SUMMARY: Joerg Haider, Carinthian governor and chairman of the junior partner in the federal coalition, Alliance Future Austria (BZO), is refusing to implement Constitutional Court rulings that call for more bilingual (German/Slovene) town signs in the border regions of Carinthia. Haider argues that a majority of Carinthians do not want more such signs and has publicly mused about ways to foil the court. Chancellor Schuessel says he is confident that a compromise will be reached before summer - when the court deadline runs out. The opposition Greens have suggested impeaching Haider. Observers believe Haider is using this emotionally laden issue in a last-gasp effort to boost his party's fortunes before federal elections in fall 2006. Schuessel will likely shy away from confronting Haider to avoid a full-blown coalition crisis during his EU presidency. End summary.

A LONG-SIMMERING DISPUTE FLARES ANEW

¶2. (SBU) The dispute over the bilingual town signs (which Austria's 1955 State Treaty stipulates) has dragged on for decades. The most recent spat stems from a Constitutional Court ruling in 2001 that communities with a Slovene minority population of at least 10 percent must erect town signs in both German and Slovene. (Note: Slovenes make up approximately four percent of the Carinthian population. End Note.) Haider employed creative delaying tactics to avoid implementing that decision. In December 2005, the Constitutional Court issued a similar ruling in reaction to a new complaint. Haider said he would ignore the court, arguing most Carinthians want no new bilingual town signs. He announced he would "comply" by issuing an ordinance setting up new German-only signs "one-half meter" from the old ones - thereby rendering the court's verdict irrelevant. (Haider, a former university lecturer on constitutional law, appears convinced he is on solid ground with this stratagem.) Social Democrats and Greens vigorously attacked Haider's defiance of the court, with Greens suggesting impeachment.

NEXT MOVE UP TO SCHUESSEL?

¶3. (SBU) On January 13, Chancellor Schuessel met with Haider and mayors of 12 bilingual towns in Carinthia to continue discussions on a compromise solution. While the meeting produced no concrete results, Schuessel said he was confident that a solution could be found "by summer." (The Constitutional Court had set a June 30 deadline - coincidentally, the last day of Austria's EU Presidency - for implementing its ruling.) Constitutional Court

President Karl Korinek (equivalent of the U.S. Chief Justice) met Schuessel and President Heinz Fischer on January 19 and 20 to register his concern over statements by Haider and others in the BZO threatening to sue Korinek for his ruling.

14. (SBU) COMMENT: Observers agree that Haider's posturing on this emotional issue is primarily a campaign strategy for national elections in Fall 2006. With negligible support outside of Carinthia, Haider's BZO has bleak prospects. Haider clearly hopes to win a direct mandate in one of the Carinthian electoral districts, which would guarantee entrance (albeit in minuscule strength) into the national parliament. A January, however, shows that the BZO still trails the Social Democrats by 20 percentage points in the state. Meanwhile, Chancellor Schuessel must find a way to keep his coalition partner on board - while avoiding the perception he is tolerating Haider's extraconstitutional demagoguery.

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